

Application No. Applicant(s) KITAMURA ET AL. 10/623,038 Notice of Allowability Examiner Art Unit Jessica T. Stultz -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. This communication is responsive to After Final Remarks dated April 18, 2005. 2. The allowed claim(s) is/are 37-45. 3. The drawings filed on 18 July 2003 are accepted by the Examiner. 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) 🛛 All b) Some* c) None 1. Certified copies of the priority documents have been received. 2. X Certified copies of the priority documents have been received in Application No. 09/932,006. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: . . Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 5. Notice of Informal Patent Application (PTO-152) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 6. Interview Summary (PTO-413), Paper No./Mail Date 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), 7. TExaminer's Amendment/Comment Paper No./Mail Date 0405 4. Examiner's Comment Regarding Requirement for Deposit 8. Examiner's Statement of Reasons for Allowance of Biological Material 9. Other Response to Arguments.

U.S. Patent and Trademark Office PTOL-37 (Rev. 1-04)

Notice of Allowability

JORDAN SCHWARTZ of Paper No./Mail Date 0505

PRIMARY EXAMINER

Application/Control Number: 10/623,038

Art Unit: 2873

Allowed Claims: 37-45

Response to Arguments

Applicant's arguments see Response, filed April 18, 2005, with respect to claims 37-45 have been fully considered and are persuasive. The Examiner's basis for allowability is the same as those set forth within that Response. The rejection of claims 37-45 has been withdrawn.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica T. Stultz whose telephone number is (571) 272-2339. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Jessica Stultz Patent Examiner AU 2873 April 26, 2005

> JORDAN SCHWARTZ PRIMARY EXAMINER

FIG. 1

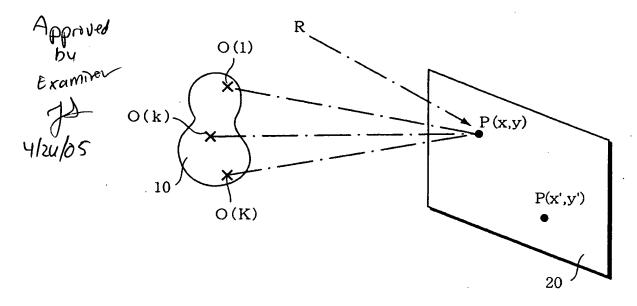


FIG. 2

